

REMARKS

This Response is submitted in reply to the Office Action mailed on January 29, 2007, and in accordance with the interview courtesy granted to Applicant's representatives on May 4, 2007. Claims 1 to 17, 19 to 27, 47 to 61, 6 to 71, and 84 to 93 stand allowed. Claims 28, 72, 82, 90, 94 to 96, 103 to 106, 108 to 110, 114 to 116, 117, 118, 119, 120, 121, and 122 to 124 have been amended. New Claims 125 and 126 have been added. Claims 97 to 103, 107, and 111 to 113 have been canceled. No new matter is added by these amendments. Claims 18, 42, 62, 63, and 77 were canceled in response to the Office Action mailed on July 25, 2006.

Applicant submits herewith a petition for a one-month extension of time. Please charge Deposit Account No. 02-1818 to cover the cost of the extension of time and any other fees due in connection with this Response.

The Office Action rejected Claims 28, 29, 34 to 41, 43 to 46, 72 to 76, 78 to 81, and 94 to 124 under 35 U.S.C. 103(a) as being obvious over U.S. Patent 6,159,095 to Frohm ("Frohm"), in view of U.S. Publication No. 2002/0025849 to Olive ("Olive").

Frohm discloses a gaming device adapted for playing multiple reel slot games at substantially the same time. The gaming device includes a first set of five reels and a second set of five reels. The gaming device generates a plurality of symbols on the first set of reels and determines whether any winning symbol combinations are indicated on the reels. The gaming device provides the player with appropriate payouts for any winning symbol combinations, in accordance with the payable employed in the game. The gaming device duplicates any winning symbol combinations from the first set of reels onto the second set of reels. If the duplicated combination of symbols includes fewer than five symbols, the gaming device generates new symbols on the remaining reels in the second set of reels. Thus, the player has an opportunity to improve upon the winning symbol combination in the second set of reels.

The Office Action admits that Frohm does not disclose:

- (a) a plurality of second award symbols,
- (b) a plurality of second activatable symbol indicators positioned adjacent to the second award symbols,

- (c) a plurality of second awards associated with the second award symbols, and
- (d) causing the activated second symbol indicator to indicate the second award symbols on the award indicator.

The Office Action attempts to remedy the deficiencies in Frohm with Olive. Olive discloses a gaming device which includes a bonus game wherein a player is provided a number of free spins. For each free spin, if a prize-winning combination of symbols is generated on the reels, the player wins an award corresponding to that symbol combination. In certain embodiments, the gaming device awards prizes for winning symbols combinations indicated on left-to-right paylines, as well as right-to-left paylines (Page 2, Paragraph 28). If a special symbol appears on the reels in one of the free spins, the special symbol functions as a substitute symbol. The special or substitute symbol is in the form of an animated symbol, such as a dolphin, that traverses the reels to get to a chosen reel position (Page 2, Paragraph 29). Once the substitute symbol gets to the desired position, it substitutes for the underlying reel symbol. If the substitution results in any further prize-winning combination of symbols on the reels, the player is provided with the respective prize (Page 2, paragraph 30).

The Office Action reasons that Olive

- (1) enables the player to pick a first symbol indicator by enabling the player to activate a left-to-right payline,
- (2) enables the player to pick a second symbol indicator by enabling the player to activate a right-to-left payline,
- (3) causes the activated first symbol indicator to indicate one of the first award symbols by causing the left-to-right payline to indicate a winning symbol combination, and
- (4) causes the activated second symbol indicator to indicate one of the second award symbols by causing the right-to-left payline to indicate a winning symbol combination.

The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time of invention to modify Frohm in view of Olive to provide a player with more chances to win in the game.

The Office Action allowed Claims 1 to 17, 19 to 27, 47 to 61, 6 to 71, and 84 because independent Claims 1, 47, 57, and 84 were amended to include activatable symbol indicators which are movable relative to the award indicator (See Office Action, page 4). As discussed during the interview, Applicant has amended independent Claims 28, 72, 103, 117, and 121 to include activatable symbol indicators movable relative to the award indicator. Accordingly, for at least this reason, Applicant respectfully submits that amended independent Claims 28, 72, 103, 117, and 121 are each patentably distinguished over Frohm and Olive.

In the previous Office Action mailed on July 25, 2006, the Office Action indicated that Claims 42 and 77 were allowable because these claims included, among other elements, a selection display having a plurality of player selectable first inputs and a plurality of player selectable second inputs, wherein the first inputs correspond to the first symbol indicators and the second inputs correspond to the second symbol indicators. In the Response to the Office Action of July 25, 2006, Applicant amended Claims 28 and 72 to include this element and canceled Claims 42 and 77. The allowable status of this subject matter was subsequently withdrawn. Accordingly, Applicant has added new Claims 125 and 126 which depend from amended independent Claims 28 and 72, respectively, to include a selection display element having a plurality of player selectable first inputs and a plurality of player selectable second inputs, wherein the first inputs correspond to the first symbol indicators and the second inputs correspond to the second symbol indicators.

Amended independent Claim 94 includes, among other elements, a predetermined arrangement of the first and second award symbols on the award indicator, wherein each of the first award symbols of the award indicator is configured to be indicated in combination with one of the second award symbols from a predetermined group of the second award symbols associated with that first award symbol, such that the average expected award is approximately the same for each indication of that first award symbol.

As discussed during the interview, Claim 94 is generally directed to one embodiment of the present application, an example of which is illustrated in Fig. 13 (See

U.S. Published Patent Application No. 2004/0053665, paragraphs 15 to 17). Fig. 13 shows an award indicator having five first award symbols (i.e., 702a, 702b, 702c, 702d, and 702e) positioned along the top portion of the award indicator, and five second award symbols (i.e., 702f, 702g, 702h, 702i, and 702j) positioned along the bottom portion of the award indicator. A plurality of first symbol indicators (i.e., 704a to 704c) are associated with the first award symbols, and a plurality of second symbol indicators (i.e., 704d to 704f) are associated with the second award symbols. In this example, the player has selected the first symbol indicator 704b, as indicated by the shading. The player has also selected the second symbol indicator 704h. The dotted lines in Fig. 13 illustrate that certain of the first award symbols may only be paired with one of the second award symbols from a group of the second award symbols. For example, the first award symbol 702c, which is associated with an award of 50, can only be paired with one of the second award symbols from the group of second award symbols including 702g, 702h, and 702i. The second award symbols 702g, 702h, and 702i are associated with awards of 10, 20, and 30, respectively. Each time the first award symbol 702c having an associated award of 50 is indicated, the average expected award is 70 (i.e., $[(50+10) + (50+20) + (50+30)] / 3 = 70$). The dotted lines of Fig. 13 also indicate that the first award symbol 702d, which is associated with an award of 40, can only be paired with one of the second award symbols from a group including second award symbols 702g, 702h, and 702i. The second award symbols of this group are associated with awards of 20, 30, and 10, respectively. Each time the first award symbol 702d having an associated award of 40 is indicated, the average expected award is 60 (i.e., $[(40+20) + (40+30) + (40+10)] / 3 = 60$).

Thus, in one embodiment, the gaming device includes a predetermined arrangement of the first and second award symbols on the award indicator, wherein each of the first award symbols of the award indicator is configured to be indicated in combination with one of the second award symbols from a predetermined group of the second award symbols associated with that first award symbol, such that the average expected award is approximately the same for each indication of that first award symbol.

As discussed during the interview, Frohm and Olive, either alone or in combination, clearly do not teach, disclose, or suggest, a gaming device which includes a predetermined arrangement of the first and second award symbols on the award indicator, wherein each of the first award symbols of the award indicator is configured to be indicated in combination with one of the second award symbols from a predetermined group of the second award symbols associated with that first award symbol, such that the average expected award is approximately the same for each indication of that first award symbol. Accordingly, for at least the reasons discussed above, Applicant respectfully submits that amended independent Claim 94 is patentably distinguished over Frohm and Olive and in condition for allowance.

Amended independent Claims 104, 108, 114, 118, and 122 each include certain similar elements to amended independent Claim 94. For at least the reasons given above with respect to amended independent Claim 94, Applicant respectfully submits that amended independent Claims 104, 108, 114, 118, and 122 are each patentably distinguished over Frohm and Olive and in condition for allowance.

Amended independent Claim 95 includes, among other elements, an average expected award associated with each of the first award symbols, wherein the first and second award symbols are arranged on the award indicator so that each first award symbol is configured to be indicated in combination with one of the second award symbols from a predetermined group of the second award symbols associated with that first award symbol, such that the average expected award associated with each of the first award symbols is different.

Referring again to Fig. 13, first award symbol 702c is associated with an average expected award of 70 because that first award symbol 702c can only be paired with one of the second award symbols 702g, 702h, and 702i. On the other hand, first award symbol 702d is associated with an average expected award of 60. Thus, in one embodiment, the first award symbols 702c and 702d are each associated with a different average expected award.

Neither Frohm nor Olive, either alone or in combination, teach, disclose, or suggest, a gaming device which includes an average expected award associated with each of the first award symbols, wherein the first and second award symbols are

arranged on the award indicator so that each first award symbol is configured to be indicated in combination with one of the second award symbols from a predetermined group of the second award symbols associated with that first award symbol, such that the average expected award associated with each of the first award symbols is different.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that amended independent Claim 95 is patentably distinguished over Frohm and Olive and in condition for allowance.

For reasons similar to those given above with respect to amended independent Claim 95, Applicant respectfully submits that amended independent Claims 96, 105, 106, 109, 110, 115, 116, 119, 120, 123, and 124 are each patentably distinguished over Frohm and Olive and in condition for allowance.

The Office Action rejected Claims 30 to 33 under 35 U.S.C. 103(a) as being obvious over Frohm, in view of Olive, in further view of U.S. Publication No. 2002/0025846 to Bennett ("Bennett").

Claims 30 to 33 depend from amended independent Claim 28. Applicant respectfully submits that the patentability of Claim 28 renders the rejections of Claims 30 to 33 moot.

The Office Action rejected Claims 82 and 83 under 35 U.S.C. 103(a) as being obvious over Frohm, in view of Olive, in further view of U.S. Publication No. 2002/0004424 to Nelson ("Nelson").

Claim 82 has been amended to correct informalities. Amended Claim 82 and Claim 83 depend from amended independent Claim 72. Applicant respectfully submits that the patentability of Claim 72 renders the rejections of Claims 82 and 83 moot.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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